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By: OAH on July 17, 2020

## ORDINANCE 2020-01

### AN ORDINANCE ANNEXING CERTAIN LANDS INTO THE CORPORATE LIMITS THE CITY OF BYRON, OLMSTED COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SECTION 414.033

#### THE CITY OF BYRON ORDAINS

Section 1. The City Council of the City of Byron makes the following findings:

- A. The City of Byron is the sole owner of certain land as legally described on Exhibit A and as depicted as the "Area to be Annexed" on Exhibit B attached to this Ordinance and made a part hereof (the "Land").
- B. The Land is presently located within the Township of Kalmar, Olmsted County.
- C. The City of Byron desires to annex said Land pursuant to Minnesota Statute Section 414.033, Subd 2 (1), permitting annexation by ordinance.
- D. The City of Byron is not required to hold a public hearing or give written notice to the Township of Kalmar or landowners within and contiguous to the area to be annexed pursuant to Minnesota Statutes Section 414.033, Subd 2 (1) because the Land is owned by the City of Byron.
- E. The Land: i) Abuts the present corporate limits of the City of Byron; ii) not included with any other municipality; iii) is vacant; iv) has not already been designated for orderly annexation pursuant to Minnesota Statutes Section 414.0325; and vi) is an appropriate area to be subject to municipal government.
- F. Annexation of the Land will be in the best interest of the City of Byron.
- G. The Land is a roadway that is currently being maintained by the City.
- H. The pursuant to Minnesota Statutes Section 414.036 there are no special assessments or debt assessed by the Township of Kalmar to the land to be annexed.

Section 2. The City Council of the City of Byron, Olmsted County, Minnesota ordains:

- A. The above findings are incorporated in and made a part of this Ordinance.

*"To provide valued public service and guide the City with innovative thinking toward smart growth."*

B. The corporate limits of the City of Byron are hereby declared extended to encompass and include all that certain land as described as Exhibit A and as depicted as the "Area To Be Annexed" on Exhibit B attached hereto.

C. No cash reimbursement is payable to Kalmar Township pursuant to Minnesota Statutes Section 414.036 for the Land to be annexed because the Land is tax exempt.

D. Pursuant to Minnesota Statutes Section 414.022, Subd. 7, the City is hereby authorized and directed to file copies of this Ordinance with the State of Minnesota Municipal Boundary Adjustments Office, Kalmar Township, the Olmsted County Auditor, and the Minnesota Secretary of State.

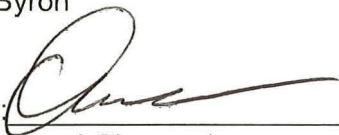
Section 3. This Ordinance is final and in full force and in effect on the date this Ordinance is approved by the Minnesota Municipal Boundary Adjustments Office.

Passed and adopted by the City Council of the City of Byron this 14th day of July 2020.

ATTEST:

City Council  
City of Byron

By:   
Mary Blair-Hoeft  
City Administrator

By:   
Daryl Glassmaker  
Mayor

# Exhibit A

## ANNEXATION DESCRIPTION:

That part of the Southwest Quarter of Section 33, Township 107 North, Range 15 West, Olmsted County, Minnesota, more particularly described:

Commencing at the southeast corner of the Southwest Quarter of said Section 33; thence North 00 degrees 24 minutes 19 seconds West (Note: All bearings are based on the Olmsted County Coordinate System, NAD'83, Adjusted 1996) along the east line of said Southwest Quarter, 1017.97 feet; thence North 60 degrees 48 minutes 21 seconds West, 46.00 feet to a point on the west right-of-way line of 10th Avenue SE and also being the point of beginning; thence North 60 degrees 48 minutes 21 seconds West, along the south right-of-way line of Country Club Road, 452.04 feet to a point of the extension of the east line of WOELFEL ESTATES ; thence North 00 degrees 24 minutes 11 seconds West, along said extended east line, 115.01 feet to the southeast corner of said WOELFEL ESTATES and also being a point on the north right of way of said Country Club Road; thence South 60 degrees 48 minutes 21 seconds East, along said north right-of-way line, 452.04 feet to a point on the west right-of-way line of said 10th Avenue SE; thence South 00 degrees 24 minutes 19 seconds East, 115.01 feet to the point of beginning.

Containing 1.04 acres, more or less.

# ANNEXATION EXHIBIT

## Exhibit B

WOELFEL ESTATES

EX. 30' ACCESS & U.E.

SOUTHEAST CORNER WOELFEL ESTATES

N00°24'11"W 115.01

EXTENSION OF THE EAST LINE WOELFEL ESTATES

NORTH R.O.W. LINE COUNTRY CLUB ROAD

S60°48'21"E 452.04

STOCKINGER, GORDON & TERRI  
PARCEL ID: 753331035327

BYRON CITY LIMITS LINE

SOUTH R.O.W. LINE COUNTRY CLUB ROAD

N60°48'21"W 452.04

WARMSECKER, ANTHONY & JENNIFER  
PARCEL ID: 753334035332

WEST R.O.W. LINE 10TH AVE. SE

10TH AVE. SE

EAST R.O.W. LINE 10TH AVE. SE

N 00°24'19" W 1613.63

EAST LINE SW 1/4

S00°24'19"E 115.01

P.O.B.

N 60°48'21" W 46.00

N 00°24'19" W 1017.97

SE COR. SW 1/4

P.O.C.

SEC. 33-T107N-R15W OLMSTED CO. MON.

LEGEND

BEARING SYSTEM USED:  
OLMSTED COUNTY COORDINATE  
SYSTEM NAD 83, ADJUSTMENT- 1996

Containing 1.04 acres, more or less.

\_\_\_\_\_ EXISTING CENTERLINE  
 \_\_\_\_\_ EXISTING EASEMENT  
 - - - - - EXISTING LOT LINE  
 \_\_\_\_\_ SECTION LINE  
 [Shaded Box] BYRON CITY LIMITS

SCALE:	1" = 60'
DRAWN BY:	DAT
DATE :	6/10/2020
PROJECT NO.	8100.26
CADD NO. :	8100.26_ANNEXATION_EXHIBIT

CITY OF BRYON  
SOUTHWEST QUARTER  
SEC. 33, T107N, R15W  
OLMSTED COUNTY, MINNESOTA



